

McCARTER & ENGLISH, LLP

Four Gateway Center

100 Mulberry Street

P.O. Box 652

Newark, New Jersey 07101-0652

(973) 622-4444

(973) 624-7070 FAX

Attorneys for Defendants

*Techtronic Industries North America, Inc. and
One World Technologies, Inc.*

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ANTHONY RIVIECCIO,

Plaintiff,:

v.:

RYOBI TECHNOLOGIES, INC.,
TECHTRONIC INDUSTRIES NORTH
AMERICA, INC., ONE WORLD
TECHNOLOGIES, INC. and/or “ABC CORP.”
1-10” (last being a fictitious designation),

Defendants.:

Civil Action No. _____
Honorable _____
Honorable _____

**NOTICE OF REMOVAL AND COPIES OF
ALL PROCESS AND PLEADINGS**

TO: The United States District Court for the District of New Jersey, Newark Division

PLEASE TAKE NOTICE that Techtronic Industries North America, Inc., (hereinafter “Techtronic”) and One World Technologies, Inc. (hereinafter “One World”) are hereby removing the above-styled action to this Court pursuant to 28 U.S.C. §1441, *et. seq.* In support of this Notice, Defendants state:

1. The within action, entitled Anthony Riveccio v. Ryobi Technologies, Inc., Techtronic Industries North America, Inc., One World Technologies, Inc. and/or “ABC CORP. 1-10” (last being a fictitious designation) was filed in the Superior Court of New Jersey, Law Division, Bergen County, Docket No. BER-L-3960-21 on June 18, 2021.

2. This Court has original jurisdiction over this matter pursuant to 28 U.S.C. §1332(a). By virtue of the provisions of 28 U.S.C. §1441(a), this entire case is one that may be removed to this Court.

3. Plaintiff Anthony Riveccio, is a citizen and resident of the State of New Jersey.

4. At the time of the filing of the Complaint and at the present time there was not a legal entity known as Ryobi Technologies, Inc., (a former subsidiary of One World Technologies, Inc., merged into Defendant One World Technologies, Inc.) Before the filing of the Complaint there was a legal entity known as Ryobi Technologies, Inc., which was a corporation of the State of Delaware and which had its principal place of business in the State of South Carolina, and that corporation was merged into Defendant One World Technologies, Inc. in December 2004. Because at the time of the filing of the Complaint and at the present time there was not a legal entity known as Ryobi it does not need to join in the within Notice of Removal.

5. At the time of the filing of the Complaint and at the present time, Defendant One World was a corporation of the State of Delaware with its principal place of business in the State of South Carolina.

6. At the time of the filing of the Complaint and at the present time, Defendant Techtronic was a corporation organized under the laws of the State of Delaware with its principal place of business in the State of South Carolina.

7. In the Complaint, plaintiff asserts claims for product liability under the New Jersey Product Liability Act and for breach of express warranty arising out of injuries allegedly caused by a saw. (Complaint, First & Second Counts). In the Complaint, plaintiff alleges that he was injury while using the product. (Complaint, First Count, Paragraph 2). The plaintiff further alleges in the Complaint that as a result of the accident "...the Plaintiff was caused to suffer and

sustain severe, permanent and disabling injuries, both mental and physical, and has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.” (Complaint, First Count, Paragraph 9). Hence, based upon the Complaint, plaintiff seeks a recovery in excess of \$75,000, exclusive of interest and costs, and/or the value to plaintiff of the relief sought in the Complaint exceeds \$75,000, exclusive of interest and costs, and accordingly the amount in controversy exceeds \$75,000, exclusive of interest and costs.

8. Service of the Summons and the Complaint setting forth the claim for relief upon which such action or proceeding is based was served upon Defendant Ryobi on July 21, 2021. This was the first service of a Summons and Complaint on Defendant Ryobi.

9. Service of the Summons and the Complaint setting forth the claim for relief upon which such action or proceeding is based was served upon Defendant One World on July 21, 2021. This was the first service of a Summons and Complaint on Defendant One World.

10. Service of the Summons and the Complaint setting forth the claim for relief upon which such action or proceeding is based was served upon Defendant Techtronic on July 21, 2021. This was the first service of a Summons and Complaint on Defendant Techtronic.

11. Pursuant to 28 U.S.C. §1446(a), copies of all process and pleadings received by Defendant Ryobi are attached hereto as Exhibit A (Summons, Track Assignment Notice, Civil Case Information Statement and Complaint). There were no other process, pleadings or orders served upon, or otherwise received by, Defendant Ryobi.

12. Pursuant to 28 U.S.C. §1446(a), copies of all process and pleadings received by Defendant One World are attached hereto as Exhibit B (Summons, Track Assignment Notice,

Civil Case Information Statement and Complaint). There were no other process, pleadings or orders served upon, or otherwise received by, Defendant One World.

13. Pursuant to 28 U.S.C. §1446(a), copies of all process and pleadings received by Defendant Techtronic are attached hereto as Exhibit C (Summons, Track Assignment Notice, Civil Case Information Statement and Complaint). There were no other process, pleadings or orders served upon, or otherwise received by, Defendant Techtronic.

14. Copies of this Removal Petition are simultaneously being served upon counsel for all parties of record and the State Court from which this action was removed.

WHEREFORE, Defendants Techtronic Industries North America, Inc. and One World Technologies, Inc., pray that this cause proceed in this Court as an action properly removed thereto.

Respectfully submitted,

McCARTER & ENGLISH, LLP

Attorneys for Defendants

*Techtronic Industries North America, Inc. and
One World Technologies, Inc.*

s/David R. Kott

By:

David R. Kott
A Member of the Firm

Dated: July 27, 2021

EXHIBIT A



Notice of Service of Process

null / ALL
Transmittal Number: 23526352
Date Processed: 07/23/2021

Primary Contact: Mark A. Rowe
Techtronic Industries North America, Inc.
115 Innovation Way
Anderson, SC 29621-7664

Electronic copy provided to: Michele Dawkins

Entity: Ryobi Technologies, Inc.
Entity ID Number 2328713

Entity Served: Ryobi Technologies, Inc.

Title of Action: Anthony Riviuccio vs. Ryobi Technologies, Inc.

Document(s) Type: Summons/Complaint

Nature of Action: Product Liability

Court/Agency: Bergen County Superior Court, NJ

Case/Reference No: BER-L-003960-21

Jurisdiction Served: Delaware

Date Served on CSC: 07/21/2021

Answer or Appearance Due: 35 Days

Originally Served On: CSC

How Served: Personal Service

Sender Information: Rosemarie Arnold
201-461-1111

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

LAW OFFICES ROSEMARIE ARNOLD**1386 Palisade Avenue****Fort Lee, New Jersey 07024****(201) 461-1111****Attorneys for Plaintiff****Attorney ID No.: 034241986****Filing Attorney ID No.: 037762011**

<p>ANTHONY RIVIECCIO,</p> <p style="text-align: center;">Plaintiff,</p> <p>-against-</p> <p>RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY</p> <p>DOCKET NO.: BER-L-3960-21</p> <p>CIVIL ACTION</p> <p>SUMMONS</p>
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THE STATE OF NEW JERSEY, TO THE ABOVE NAMED DEFENDANT:**→ RYOBI TECHNOLOGIES, INC.**

THE Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within thirty-five (35) days after the service of the Summons and Complaint upon you, exclusive of the day of service. If the complaint is one in foreclosure, then you must file your written answer to motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$ 135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written Answer or Motion within 35 days, the Court may enter a Judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford to pay an attorney, call a Legal Services Office. An individual not eligible for free legal assistance may obtain a referral to an attorney by calling a County Lawyer Referral Service. These numbers may be listed in the yellow pages of your phone book or may be obtained by calling the New Jersey State Bar Association Lawyer Referral Service, toll free (800) 792-8315 (within New Jersey) or (609) 394-1101 (from out of state). The phone number for the county in which this action is pending are: Lawyer Referral Service (973) 622-6204, Legal Service Office (973)624-4500.

Dated: June 18, 2021

S./ Michelle M. Smith
Michelle M. Smith

Name of Defendant: RYOBI TECHNOLOGIES, INC.

Address to be Served: 1428 Pearman Dairy Road, Anderson, South Carolina 29625

LAW OFFICES ROSEMARIE ARNOLD
1386 Palisade Avenue
Fort Lee, New Jersey 07024
(201) 461-1111
Attorneys for Plaintiff
Attorney ID No.: 034241986
Filing Attorney ID No.: 037762011

ANTHONY RIVIECCIO, Plaintiff, -against- RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L- CIVIL ACTION COMPLAINT AND JURY DEMAND
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Plaintiff, ANTHONY RIVIECCIO, residing at 262 11th Street in the Borough of Palisades Park, County of Bergen, State of New Jersey, by way of Complaint against Defendants, says:

FIRST COUNT

1. Upon information and belief, at all times hereinafter mentioned, Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), were corporations doing business in the State of New Jersey, engaged in the design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale of a certain Ryobi 10 inch Table Saw with model number BTS10S and its accompanying parts (hereinafter referred to as the "product").

2. On or about June 22, 2019, Plaintiff, ANTHONY RIVIECCIO, was caused to become injured by the Ryobi 10 inch Table Saw with model number BTS10S, due to the negligent,

careless, defective and/or hazardous design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale of said product.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), expressly and impliedly warranted to Plaintiff and persons such as Plaintiff that the aforesaid product was merchantable and fit for the use for which it was intended and are strictly liable in tort for any and all defects in the aforesaid product.

4. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), owed a duty to Plaintiff and foreseeable users, such as Plaintiff, to exercise due care in designing, manufacturing, supplying, assembling, installing, maintaining, inspecting, repairing, packaging, distributing, advertising, marketing and/or selling the product involved in this action.

5. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), knew or in the exercise of reasonable care should have known, that the product was (a) designed, manufactured, assembled, installed, maintained, inspected, repaired, packaged, distributed, advertised, marketed and/or sold in a condition inherently dangerous for its intended use; (b) failed to warn or give adequate notice of the method of assembly of the aforesaid product and/or that same was defectively designed and/or failed to warn of the hazardous design and inherent dangers of this product; (c) failed to otherwise exercise due care with respect to designing, manufacturing, supplying, assembling, installing, maintaining,

inspecting, repairing, packaging, distributing, advertising, marketing and/or selling the product involved in this action.

6. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breached their duty to Plaintiff and/or violated N.J.S.A. 2:58C-2 in that said Defendants:

(a) designed, manufactured, assembled, supplied, packaged, installed, maintained, inspected, distributed and/or sold the product with the aforementioned defects;

(b) failed to warn or give adequate notice that the product was defectively designed;

(c) failed to otherwise exercise due care with respect to designing, manufacturing, assembling, supplying, packaging, installing, maintaining, inspecting, distributing and/or selling the product involved in this action.

7. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), knew, or in the exercise of reasonable care should have known, that the product was a dangerous instrumentality if not properly designed, manufactured, packaged, tested, or inspected and that the product presented the probability of harm to any foreseeable users unless it was free from defects. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), had a duty to foreseeable users, and to Plaintiff in particular, to:

(a) inspect and test the product that Defendants sold so as to determine whether it would be reasonably fit for its intended uses; and

(b) warn or give fair and adequate notice of the inherently dangerous condition existing as result of the negligent design, manufacture, assembly, supply, packaging, installation, maintenance, inspection, distribution and/or sale of the product.

8. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breached the duty and/or violated N.J.S.A. 2A:58C-2 described above in that said Defendants failed to warn Plaintiff of the inherently dangerous condition of the product and failed to inspect or test the product to determine whether it was reasonably fit for its intended use.

9. As a proximate cause and reasonably foreseeable result of Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), negligent acts or omissions and/or strict liability the Plaintiff was caused to suffer and sustain severe, permanent and disabling injuries, both mental and physical, and has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.

10. As a proximate cause and reasonably foreseeable result of any and all of the foregoing acts and/or omissions, Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), are strictly liable in tort pursuant to N.J.S.A. 2A:58C-2

WHEREFORE, Plaintiff, ANTHONY RIVIECCIO, demands judgment against Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), jointly, severally and/or jointly and severally, for damages, interest, costs of suit, and such other relief as the Court deems necessary and proper.

SECOND COUNT

1. Plaintiff repeats the allegations contained all previous Counts of the Complaint as if set forth herein at length.

2. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), expressly warranted that the product was merchantable, safely designed, and fit for the particular purpose for which it was produced, sold, and intended to be used. Plaintiff relied on those warranties when using the product in the manner which it was intended to be used.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), breached those express warranties in that the product was not safely designed, manufactured, supplied, assembled, installed, maintained, inspected, repaired, packaged, distributed, advertised, marketed and/or sold. In fact, the product in question was inherently dangerous in its design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale and was inherently dangerous for its intended use.

4. As a proximate cause and reasonably foreseeable result of Defendants, RYOBI

TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breach of the express warranties described above, Plaintiff was caused to suffer and sustain severe, permanent and disabling injuries, both mental and physical, and has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.

WHEREFORE, Plaintiff, ANTHONY RIVIECCIO, demands judgment against Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), jointly, severally and/or jointly and severally, for damages, interest, costs of suit, and such other relief as the Court deems necessary and proper.

THIRD COUNT

1. Plaintiff repeats each and every allegation contained in all previous Counts of the Complaint as if set forth herein at length.

2. Plaintiff, ANTHONY RIVIECCIO, is the intended third party beneficiary under a policy or policies of insurance held by Defendants herein for the payment of medical expenses incurred as a result of the subject accident, regardless of fault.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), have failed to honor the provisions of said policy and have refused and continue to refuse to make payment of medical expenses incurred as the result of the subject accident up to the limit of the policy provisions as aforesaid.

WHEREFORE, Plaintiff, ANTHONY RIVIECCIO, demands judgment against Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), jointly, severally and/or jointly and severally, for damages, interest, costs of suit, and such other relief as the Court deems necessary and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Daniel S. Suh, Esq. is designated as trial counsel.

CERTIFICATION

I hereby certify that this matter is not the subject of any other action pending in any court or arbitration proceeding, that no such other action or arbitration proceeding is contemplated by the Plaintiff, and that there are no other parties, whom, to the knowledge of the Plaintiff's counsel, should be joined in this action.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

LAW OFFICES ROSEMARIE ARNOLD
Attorneys for Plaintiff

S/ Daniel S. Suh
Daniel S. Suh

Dated: June 15, 2021

Civil Case Information Statement

Case Details: BERGEN | Civil Part Docket# L-003960-21

Case Caption: RIVIECCIO ANTHONY VS RYOBI
TECHNOLOGIES, INC.
Case Initiation Date: 06/18/2021
Attorney Name: DANIEL S SUH
Firm Name: ROSEMARIE ARNOLD
Address: 1386 PALISADE AVE
FORT LEE NJ 07024
Phone: 2014611111
Name of Party: PLAINTIFF : Rivieccio, Anthony
Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PRODUCT LIABILITY
Document Type: Complaint with Jury Demand
Jury Demand: YES - 12 JURORS
Is this a professional malpractice case? NO
Related cases pending: NO
If yes, list docket numbers:
Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO
Are sexual abuse claims alleged by: Anthony Rivieccio? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

06/18/2021
Dated

/s/ DANIEL S SUH
Signed

EXHIBIT B



Notice of Service of Process

KN4 / ALL
Transmittal Number: 23527495
Date Processed: 07/23/2021

Primary Contact: Mark A. Rowe
Techtronic Industries North America, Inc.
115 Innovation Way
Anderson, SC 29621-7664

Electronic copy provided to: Michele Dawkins

Entity: One World Technologies, Inc.
Entity ID Number 2005434

Entity Served: One World Technologies, Inc.

Title of Action: Anthony Riviuccio vs. Ryobi Technologies, Inc.

Document(s) Type: Summons/Complaint

Nature of Action: Personal Injury

Court/Agency: Bergen County Superior Court, NJ

Case/Reference No: BER-L-003960-21

Jurisdiction Served: Delaware

Date Served on CSC: 07/21/2021

Answer or Appearance Due: 35 Days

Originally Served On: CSC

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201-461-1111

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LAW OFFICES ROSEMARIE ARNOLD**1386 Palisade Avenue****Fort Lee, New Jersey 07024****(201) 461-1111****Attorneys for Plaintiff****Attorney ID No.: 034241986****Filing Attorney ID No.: 037762011**

<p>ANTHONY RIVIECCIO,</p> <p style="text-align: center;">Plaintiff,</p> <p>-against-</p> <p>RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY</p> <p>DOCKET NO.: BER-L-3960-21</p> <p>CIVIL ACTION</p> <p>SUMMONS</p>
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THE STATE OF NEW JERSEY, TO THE ABOVE NAMED DEFENDANT:

➤ **ONE WORLD TECHNOLOGIES, INC.**

THE Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within thirty-five (35) days after the service of the Summons and Complaint upon you, exclusive of the day of service. If the complaint is one in foreclosure, then you must file your written answer to motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$ 135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written Answer or Motion within 35 days, the Court may enter a Judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

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Dated: June 18, 2021

S/. Michelle M. Smith
Michelle M. Smith

Name of Defendant: ONE WORLD TECHNOLOGIES, INC.

Address to be Served: 100 Innovation Way, Anderson, South Carolina 29621

LAW OFFICES ROSEMARIE ARNOLD
1386 Palisade Avenue
Fort Lee, New Jersey 07024
(201) 461-1111
Attorneys for Plaintiff
Attorney ID No.: 034241986
Filing Attorney ID No.: 037762011

ANTHONY RIVIECCIO, Plaintiff, -against- RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L- CIVIL ACTION COMPLAINT AND JURY DEMAND
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Plaintiff, ANTHONY RIVIECCIO, residing at 262 11th Street in the Borough of Palisades Park, County of Bergen, State of New Jersey, by way of Complaint against Defendants, says:

FIRST COUNT

1. Upon information and belief, at all times hereinafter mentioned, Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), were corporations doing business in the State of New Jersey, engaged in the design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale of a certain Ryobi 10 inch Table Saw with model number BTS10S and its accompanying parts (hereinafter referred to as the "product").

2. On or about June 22, 2019, Plaintiff, ANTHONY RIVIECCIO, was caused to become injured by the Ryobi 10 inch Table Saw with model number BTS10S, due to the negligent,

careless, defective and/or hazardous design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale of said product.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), expressly and impliedly warranted to Plaintiff and persons such as Plaintiff that the aforesaid product was merchantable and fit for the use for which it was intended and are strictly liable in tort for any and all defects in the aforesaid product.

4. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), owed a duty to Plaintiff and foreseeable users, such as Plaintiff, to exercise due care in designing, manufacturing, supplying, assembling, installing, maintaining, inspecting, repairing, packaging, distributing, advertising, marketing and/or selling the product involved in this action.

5. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), knew or in the exercise of reasonable care should have known, that the product was (a) designed, manufactured, assembled, installed, maintained, inspected, repaired, packaged, distributed, advertised, marketed and/or sold in a condition inherently dangerous for its intended use; (b) failed to warn or give adequate notice of the method of assembly of the aforesaid product and/or that same was defectively designed and/or failed to warn of the hazardous design and inherent dangers of this product; (c) failed to otherwise exercise due care with respect to designing, manufacturing, supplying, assembling, installing, maintaining,

inspecting, repairing, packaging, distributing, advertising, marketing and/or selling the product involved in this action.

6. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breached their duty to Plaintiff and/or violated N.J.S.A. 2:58C-2 in that said Defendants:

(a) designed, manufactured, assembled, supplied, packaged, installed, maintained, inspected, distributed and/or sold the product with the aforementioned defects;

(b) failed to warn or give adequate notice that the product was defectively designed;

(c) failed to otherwise exercise due care with respect to designing, manufacturing, assembling, supplying, packaging, installing, maintaining, inspecting, distributing and/or selling the product involved in this action.

7. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), knew, or in the exercise of reasonable care should have known, that the product was a dangerous instrumentality if not properly designed, manufactured, packaged, tested, or inspected and that the product presented the probability of harm to any foreseeable users unless it was free from defects. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), had a duty to foreseeable users, and to Plaintiff in particular, to:

(a) inspect and test the product that Defendants sold so as to determine whether it would be reasonably fit for its intended uses; and

(b) warn or give fair and adequate notice of the inherently dangerous condition existing as result of the negligent design, manufacture, assembly, supply, packaging, installation, maintenance, inspection, distribution and/or sale of the product.

8. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breached the duty and/or violated N.J.S.A. 2A:58C-2 described above in that said Defendants failed to warn Plaintiff of the inherently dangerous condition of the product and failed to inspect or test the product to determine whether it was reasonably fit for its intended use.

9. As a proximate cause and reasonably foreseeable result of Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), negligent acts or omissions and/or strict liability the Plaintiff was caused to suffer and sustain severe, permanent and disabling injuries, both mental and physical, and has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.

10. As a proximate cause and reasonably foreseeable result of any and all of the foregoing acts and/or omissions, Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), are strictly liable in tort pursuant to N.J.S.A. 2A:58C-2

WHEREFORE, Plaintiff, ANTHONY RIVIECCIO, demands judgment against Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), jointly, severally and/or jointly and severally, for damages, interest, costs of suit, and such other relief as the Court deems necessary and proper.

SECOND COUNT

1. Plaintiff repeats the allegations contained all previous Counts of the Complaint as if set forth herein at length.

2. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), expressly warranted that the product was merchantable, safely designed, and fit for the particular purpose for which it was produced, sold, and intended to be used. Plaintiff relied on those warranties when using the product in the manner which it was intended to be used.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breached those express warranties in that the product was not safely designed, manufactured, supplied, assembled, installed, maintained, inspected, repaired, packaged, distributed, advertised, marketed and/or sold. In fact, the product in question was inherently dangerous in its design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale and was inherently dangerous for its intended use.

4. As a proximate cause and reasonably foreseeable result of Defendants, RYOBI

TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breach of the express warranties described above, Plaintiff was caused to suffer and sustain severe, permanent and disabling injuries, both mental and physical, and has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.

WHEREFORE, Plaintiff, ANTHONY RIVIECCIO, demands judgment against Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), jointly, severally and/or jointly and severally, for damages, interest, costs of suit, and such other relief as the Court deems necessary and proper.

THIRD COUNT

1. Plaintiff repeats each and every allegation contained in all previous Counts of the Complaint as if set forth herein at length.

2. Plaintiff, ANTHONY RIVIECCIO, is the intended third party beneficiary under a policy or policies of insurance held by Defendants herein for the payment of medical expenses incurred as a result of the subject accident, regardless of fault.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), have failed to honor the provisions of said policy and have refused and continue to refuse to make payment of medical expenses incurred as the result of the subject accident up to the limit of the policy provisions as aforesaid.

Dated: June 15, 2021

Civil Case Information Statement

Case Details: BERGEN | Civil Part Docket# L-003960-21

Case Caption: RIVIECCIO ANTHONY VS RYOBITECHNOLOGIES, INC.

Case Initiation Date: 06/18/2021

Attorney Name: DANIEL S SUH

Firm Name: ROSEMARIE ARNOLD

Address: 1386 PALISADE AVE

FORT LEE NJ 07024

Phone: 2014611111

Name of Party: PLAINTIFF : Rivieccio, Anthony

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PRODUCT LIABILITY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 12 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: Anthony Rivieccio? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

06/18/2021
Dated

/s/ DANIEL S SUH
Signed

EXHIBIT C



Notice of Service of Process

null / ALL
Transmittal Number: 23526281
Date Processed: 07/23/2021

Primary Contact: Mark A. Rowe
Techtronic Industries North America, Inc.
115 Innovation Way
Anderson, SC 29621-7664

Electronic copy provided to: Michele Dawkins

Entity: Techtronic Industries North America, Inc.
Entity ID Number 2193062

Entity Served: Techtronic Industries North America, Inc.

Title of Action: Anthony Riviuccio vs. Ryobi Technologies, Inc.

Document(s) Type: Summons/Complaint

Nature of Action: Product Liability

Court/Agency: Bergen County Superior Court, NJ

Case/Reference No: BER-L-003960-21

Jurisdiction Served: Delaware

Date Served on CSC: 07/21/2021

Answer or Appearance Due: 35 Days

Originally Served On: CSC

How Served: Personal Service

Sender Information: Rosemarie Arnold
201-461-1111

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

LAW OFFICES ROSEMARIE ARNOLD

1386 Palisade Avenue

Fort Lee, New Jersey 07024

(201) 461-1111

Attorneys for Plaintiff

Attorney ID No.: 034241986

Filing Attorney ID No.: 037762011

ANTHONY RIVIECCIO, Plaintiff, -against- RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY DOCKET NO.: BER-L-3960-21 CIVIL ACTION SUMMONS
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THE STATE OF NEW JERSEY, TO THE ABOVE NAMED DEFENDANT:

➤ TECHTRONIC INDUSTRIES NORTH AMERICA, INC.

THE Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within thirty-five (35) days after the service of the Summons and Complaint upon you, exclusive of the day of service. If the complaint is one in foreclosure, then you must file your written answer to motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$ 135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written Answer or Motion within 35 days, the Court may enter a Judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford to pay an attorney, call a Legal Services Office. An individual not eligible for free legal assistance may obtain a referral to an attorney by calling a County Lawyer Referral Service. These numbers may be listed in the yellow pages of your phone book or may be obtained by calling the New Jersey State Bar Association Lawyer Referral Service, toll free (800) 792-8315 (within New Jersey) or (609) 394-1101 (from out of state). The phone number for the county in which this action is pending are: Lawyer Referral Service (973) 622-6204, Legal Service Office (973)624-4500.

Dated: June 18, 2021

S/. Michelle M. Smith

Michelle M. Smith

Name of Defendant: TECHTRONIC INDUSTRIES NORTH AMERICA, INC.
Address to be Served: 450 East Las Olas Boulevard, Suite 1500, Fort Lauderdale,
Florida 33301

LAW OFFICES ROSEMARIE ARNOLD
1386 Palisade Avenue
Fort Lee, New Jersey 07024
(201) 461-1111
Attorneys for Plaintiff
Attorney ID No.: 034241986
Filing Attorney ID No.: 037762011

<p>ANTHONY RIVIECCIO,</p> <p style="text-align: center;">Plaintiff,</p> <p>-against-</p> <p>RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY</p> <p>DOCKET NO.: BER-L-</p> <p>CIVIL ACTION</p> <p>COMPLAINT AND JURY DEMAND</p>
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Plaintiff, ANTHONY RIVIECCIO, residing at 262 11th Street in the Borough of Palisades Park, County of Bergen, State of New Jersey, by way of Complaint against Defendants, says:

FIRST COUNT

1. Upon information and belief, at all times hereinafter mentioned, Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), were corporations doing business in the State of New Jersey, engaged in the design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale of a certain Ryobi 10 inch Table Saw with model number BTS10S and its accompanying parts (hereinafter referred to as the "product").

2. On or about June 22, 2019, Plaintiff, ANTHONY RIVIECCIO, was caused to become injured by the Ryobi 10 inch Table Saw with model number BTS10S, due to the negligent,

careless, defective and/or hazardous design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale of said product.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), expressly and impliedly warranted to Plaintiff and persons such as Plaintiff that the aforesaid product was merchantable and fit for the use for which it was intended and are strictly liable in tort for any and all defects in the aforesaid product.

4. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), owed a duty to Plaintiff and foreseeable users, such as Plaintiff, to exercise due care in designing, manufacturing, supplying, assembling, installing, maintaining, inspecting, repairing, packaging, distributing, advertising, marketing and/or selling the product involved in this action.

5. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), knew or in the exercise of reasonable care should have known, that the product was (a) designed, manufactured, assembled, installed, maintained, inspected, repaired, packaged, distributed, advertised, marketed and/or sold in a condition inherently dangerous for its intended use; (b) failed to warn or give adequate notice of the method of assembly of the aforesaid product and/or that same was defectively designed and/or failed to warn of the hazardous design and inherent dangers of this product; (c) failed to otherwise exercise due care with respect to designing, manufacturing, supplying, assembling, installing, maintaining,

inspecting, repairing, packaging, distributing, advertising, marketing and/or selling the product involved in this action.

6. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breached their duty to Plaintiff and/or violated N.J.S.A. 2:58C-2 in that said Defendants:

(a) designed, manufactured, assembled, supplied, packaged, installed, maintained, inspected, distributed and/or sold the product with the aforementioned defects;

(b) failed to warn or give adequate notice that the product was defectively designed;

(c) failed to otherwise exercise due care with respect to designing, manufacturing, assembling, supplying, packaging, installing, maintaining, inspecting, distributing and/or selling the product involved in this action.

7. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), knew, or in the exercise of reasonable care should have known, that the product was a dangerous instrumentality if not properly designed, manufactured, packaged, tested, or inspected and that the product presented the probability of harm to any foreseeable users unless it was free from defects. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), had a duty to foreseeable users, and to Plaintiff in particular, to:

(a) inspect and test the product that Defendants sold so as to determine whether it would be reasonably fit for its intended uses; and

(b) warn or give fair and adequate notice of the inherently dangerous condition existing as result of the negligent design, manufacture, assembly, supply, packaging, installation, maintenance, inspection, distribution and/or sale of the product.

8. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breached the duty and/or violated N.J.S.A. 2A:58C-2 described above in that said Defendants failed to warn Plaintiff of the inherently dangerous condition of the product and failed to inspect or test the product to determine whether it was reasonably fit for its intended use.

9. As a proximate cause and reasonably foreseeable result of Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), negligent acts or omissions and/or strict liability the Plaintiff was caused to suffer and sustain severe, permanent and disabling injuries, both mental and physical, and has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.

10. As a proximate cause and reasonably foreseeable result of any and all of the foregoing acts and/or omissions, Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), are strictly liable in tort pursuant to N.J.S.A. 2A:58C-2

WHEREFORE, Plaintiff, ANTHONY RIVIECCIO, demands judgment against Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), jointly, severally and/or jointly and severally, for damages, interest, costs of suit, and such other relief as the Court deems necessary and proper.

SECOND COUNT

1. Plaintiff repeats the allegations contained all previous Counts of the Complaint as if set forth herein at length.

2. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), expressly warranted that the product was merchantable, safely designed, and fit for the particular purpose for which it was produced, sold, and intended to be used. Plaintiff relied on those warranties when using the product in the manner which it was intended to be used.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or “ABC CORP. 1-10” (last being a fictitious designation), breached those express warranties in that the product was not safely designed, manufactured, supplied, assembled, installed, maintained, inspected, repaired, packaged, distributed, advertised, marketed and/or sold. In fact, the product in question was inherently dangerous in its design, manufacture, supply, assembly, installation, maintenance, inspection, repair, packaging, distribution, advertising, marketing and/or sale and was inherently dangerous for its intended use.

4. As a proximate cause and reasonably foreseeable result of Defendants, RYOBI

TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), breach of the express warranties described above, Plaintiff was caused to suffer and sustain severe, permanent and disabling injuries, both mental and physical, and has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.

WHEREFORE, Plaintiff, ANTHONY RIVIECCIO, demands judgment against Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), jointly, severally and/or jointly and severally, for damages, interest, costs of suit, and such other relief as the Court deems necessary and proper.

THIRD COUNT

1. Plaintiff repeats each and every allegation contained in all previous Counts of the Complaint as if set forth herein at length.

2. Plaintiff, ANTHONY RIVIECCIO, is the intended third party beneficiary under a policy or policies of insurance held by Defendants herein for the payment of medical expenses incurred as a result of the subject accident, regardless of fault.

3. Defendants, RYOBI TECHNOLOGIES, INC., TECHTRONIC INDUSTRIES NORTH AMERICA, INC., ONE WORLD TECHNOLOGIES, INC. and/or "ABC CORP. 1-10" (last being a fictitious designation), have failed to honor the provisions of said policy and have refused and continue to refuse to make payment of medical expenses incurred as the result of the subject accident up to the limit of the policy provisions as aforesaid.

Dated: June 15, 2021

Civil Case Information Statement

Case Details: BERGEN | Civil Part Docket# L-003960-21

Case Caption: RIVIECCIO ANTHONY VS RYOBI
TECHNOLOGIES, INC.
Case Initiation Date: 06/18/2021
Attorney Name: DANIEL S SUH
Firm Name: ROSEMARIE ARNOLD
Address: 1386 PALISADE AVE
FORT LEE NJ 07024
Phone: 2014611111
Name of Party: PLAINTIFF : Rivieccio, Anthony
Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PRODUCT LIABILITY
Document Type: Complaint with Jury Demand
Jury Demand: YES - 12 JURORS
Is this a professional malpractice case? NO
Related cases pending: NO
If yes, list docket numbers:
Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO
Are sexual abuse claims alleged by: Anthony Rivieccio? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

06/18/2021
Dated

/s/ DANIEL S SUH
Signed